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January 20, 2023

### VIA E-FILING

Honorable Ona T. Wang, U.S.M.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Courtroom 20D  
New York, New York 10007

**MEMO ENDORSED.**

**Re: Ahmed Ashour, et al. v. Arizona Beverages USA LLC, et al.**  
**Index No. 1:19-cv-07081 (AT)(OTW) – Consent Motion to Request**  
**Extension of Fact Discovery Deadline By 30 Days**

Dear Judge Wang:

This firm represents defendants (“Defendants”). Kindly accept this letter by way of the Defendants’ motion to request that the Court consider an extension of the fact discovery deadline by 30 days. Defendants have conferred with Plaintiffs and they consent to this request.

Per Court Order (ECF 211), Defendants filed a letter motion seeking a protective order concerning Plaintiffs’ Rule 30(b)(6) deposition notice. (ECF 217). After opposition was filed (ECF 219), this Court entered an order requiring further briefing (by Defendants, on January 24, and by Plaintiffs, on January 31, respectively). (ECF 220). However, under the aforementioned Order concerning depositions, the Rule 30(b)(6) depositions are to be completed by February 3, 2023 and the individual depositions are to be completed by the fact discovery deadline, February 10, 2023. (ECF 211). Given that a decision on the motion for a protective order is not likely until a date after January 31, preparation of the 30(b)(6) witnesses and their production for examination by February 3, is not feasible.

As to the Rule 30(b)(6) topics not in dispute, Defendants anticipate producing three 30(b)(6) witnesses. There are 5 individual deposition notices issued by Plaintiffs whose depositions are to be completed by February 10. (ECF 211). In the interest of avoiding duplicative questioning, the 30(b)(6) deposition ought to proceed first. Based upon a prior meet and confer, the parties agree that such a proposed sequence would be preferable. (ECF 210). Therefore, at least 8 depositions may have to be completed after a ruling on the motion for a protective order.

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For the foregoing reasons, Defendants respectfully submit that good cause exists to extend the fact discovery deadline by 30 days. Thank you for Your Honor's attention to this matter.

Respectfully submitted,

STEVENS & LEE



Robert P. Donovan

RPD:sck

cc: (All counsel of record via ECF)

Application **GRANTED**. The fact discovery deadline is extended to March 10, 2023, solely so that the parties may complete the discovery referenced in ECF 221.

**SO ORDERED.**



Ona T. Wang  
U.S.M.J.

1/24/23